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FILED

APR - 3 2007

RICHARD W. MENING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

7
8 IN THE UNITED STATES DISTRICT COURT
9
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) No. CR-07-70081 PVT
11 Plaintiff,)
12 vs.) STIPULATION, WAIVER AND
13 JOKAELLE PORTER,) [PROPOSED] ORDER CONTINUING
14 Defendant.) PRELIMINARY HEARING AND
15 _____) EXCLUDING TIME FOR INDICTMENT

16 **STIPULATION AND WAIVER**

17 The parties hereby stipulate and agree that the date currently set for preliminary hearing
18 and/or arraignment may be continued for three weeks from April 5, 2007, to April 26, 2007 at
19 9:30 a.m. Mr. Porter, by his signature below, further consents to extend by three weeks the time
20 for preliminary hearing under Rule 5.1 of the Federal Rules of Criminal Procedure. The purpose
21 of the requested continuance is to permit the defense to continue its investigation into the
22 circumstances of the alleged offense and to facilitate the parties' efforts to reach a pre-indictment
23 resolution. The parties further agree that the intervening three weeks may be excluded from the
24 time within which an indictment shall be filed, as the reasonable time necessary for effective
25 defense preparation under 18 U.S.C. §3161(h)(8)(A) and (B)(iv).

1 Dated: March 28, 2007

2 s/ _____
3 CYNTHIA C. LIE
Assistant Federal Public Defender

4 Dated: April 2, 2007

5 s/ _____
6 JOKAELLE PORTER
Defendant

7 Dated: March 29, 2007

8 s/ _____
9 THOMAS M. O'CONNELL
Assistant United States Attorney

10 *RS*
11 [PROPOSED] ORDER

12 Good cause appearing and by stipulation of the parties, it is hereby ordered that the date
13 set for preliminary hearing and/or arraignment in the above-captioned matter shall be continued
14 from Thursday, April 5, 2007 to Thursday, April 26, 2007 at 9:30 a.m.

15 It is further ordered that 21 days shall be excluded from the time within which an
16 indictment shall be filed under the Speedy Trial Act, as the reasonable time necessary for
17 effective preparation of counsel, pursuant to 18 U.S.C. §3161(h)(8)(A) and (B)(iv).

18 Dated: April 3, 2007

19 
20 RICHARD SEEBORG
United States Magistrate Judge